

REMARKS

Upon entry of the present amendment, claims 1-7 will remain pending in the above-identified application and stand ready for further action on the merits.

The amendments made herein to the claims do not incorporate new matter into the application as originally filed. For example, support for the instant amendments to claims 1-2 occurs in original figures 6-7 and at page 11, lines 2-12 of the originally filed specification.

Entry of the instant amendment after final is also appropriate at present, as the instant amendment presents rejected claims in better form for consideration on appeal, and/or such amendments are necessary to forward prosecution towards conclusion, and/or such amendments could not earlier be presented, as the applicants only found out upon receiving the outstanding office action that the claims as previously amended were not found allowable by the Examiner.

It is also noted that the claims as instantly amended do not raise substantial new issues for the Examiner's consideration and at the same time result in all pending claims being allowable, so that entry of the present amendment is entirely appropriate.

CLAIM REJECTIONS – 35 USC § 103(a)

Claims 1-5 have been rejected under the provisions of 35 USC § 103(a) as being unpatentable over Maloney US '764 (US 6,204,764) in view of Brady et al. US '740 (US 6,441,740). Claims 6-7 have been rejected over Maloney US '764, in view of Brady et al. US '740, further in view of Sanders US '523 (US 6,276,523). Reconsideration and withdrawal of each of these rejections is respectfully requested based on the amendments made herein and the following considerations.

Legal Standard for Determining Obviousness

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to

combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." *In re Kotzab*, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000).

Distinctions Over the Cited Art

Maloney US '764 teaches an antenna (54, 56) provided on three sides of a container 41 as shown in Figures 3 and 4 thereof. Brady et al. US '740 teaches an antenna including a coil. However, the combination of Maloney US '764 and Brady et al. US '740 completely fails to teach or disclose or otherwise motivate one of ordinary skill in the art to arrive at an antenna coil connected to a semiconductor device, wherein the antenna coil is bent to extend over two surfaces of different directions of an accessed object (as instantly claimed). The remaining cited reference of Sanders US '523 does nothing to cure this deficiency in the teachings and disclosures of the cited Maloney US '764 and Brady et al. US '740 references.

Accordingly, based on the above considerations, it is clear that the cited art of record is incapable of rendering obvious the instant invention as recited in pending claims 1-7.

CONCLUSION

Based upon the amendments and remarks presented herein, the Examiner is respectfully requested to issue a Notice of Allowance clearly indicating that each of the pending claims 1-7 are allowed and patentable under the provisions of Title 35 of the United States Code.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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